

MAR 12 2007

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INTELLECTUAL PROPERTY LAW
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LOS ANGELES, CA 90025

FACSIMILE: (303) 740-6962

FACSIMILE COVER SHEET

Deliver to: Dupuis, Derek L., USPTO

Art Group: 2883

Facsimile No.: (571) 273-8300

Date: March 12, 2007

From: Brent E. Vecchia, Reg. No. 48,011

Our Docket No.: 42P18458

Number of pages 14; including this sheet.

Application No.: 10/749,986Filing Date: 12/31/2003

Docket Due Date(s): 3/12/2007

Enclosed are the following documents:

<input checked="" type="checkbox"/> Amendment: <u>Response</u> (<u>11</u> pgs)	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Appeal Brief (____ pgs)	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Application: _____ (____ pgs) w/cover & abstract)	<input type="checkbox"/> Petition for: _____
<input type="checkbox"/> Assignment & Cover Sheet (____ pgs)	<input type="checkbox"/> Request for Continued Examination (RCE)
<input checked="" type="checkbox"/> Certificate of <u>Facsimile</u>	<input type="checkbox"/> Reply Brief (____ pgs)
<input type="checkbox"/> Continued Prosecution Application (CPA)	<input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)
<input type="checkbox"/> Declaration & POA (____ pgs)	<input type="checkbox"/> Request to Rescind Previous Nonpublication Request
<input type="checkbox"/> Drawings: ____ sheets, ____ figures	<input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter
<input type="checkbox"/> Extension of Time: _____	<input type="checkbox"/> Response to Written Opinion (____ pgs)
<input checked="" type="checkbox"/> Fee Transmittal (in duplicate)	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> IDS & PTO/SB/08 (____ pgs)	<input type="checkbox"/> Transmittal of Publication Fee Due
<input type="checkbox"/> Other _____	<input type="checkbox"/> Transmittal Letter

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

Brent E. Vecchia
Brent E. Vecchia

3/12/2007

Date _____

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FEE TRANSMITTAL for FY 2006 <small>Patent fees are subject to annual revision.</small>		Complete if Known		
		Application Number	10/749,986	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Filing Date	December 31, 2003	
		First Named Inventor	Donald S. Gardner	
		Examiner Name	Dupuis, Derek L.	
		Art Unit	2883	
TOTAL AMOUNT OF PAYMENT (\$)		0.00	Attorney Docket No.	42P18458

METHOD OF PAYMENT (check all that apply)	
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: <u>02-2666</u> Deposit Account Name: <u>Blakely, Sokoloff, Taylor & Zafman LLP</u>	
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.	<input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

FEE CALCULATION																																																																																																																													
1. EXTRA CLAIM FEES																																																																																																																													
Total Claims: 28 Independent Claims: 3 Multiple Dependent: _____	<table border="1"> <tr> <th>Extra Claims</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> <tr> <td>28 - 25* = 3</td> <td>0 x 50.00 =</td> <td>\$0.00</td> </tr> <tr> <td>3 - 3* = 0</td> <td>0 x 200.00 =</td> <td>\$0.00</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </table>	Extra Claims	Fee from below	Fee Paid	28 - 25* = 3	0 x 50.00 =	\$0.00	3 - 3* = 0	0 x 200.00 =	\$0.00																																																																																																																			
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<table border="1"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>1202</td> <td>50</td> <td>2202</td> <td>25</td> <td>Claims in excess of 20</td> </tr> <tr> <td>1201</td> <td>200</td> <td>2201</td> <td>100</td> <td>Independent claims in excess of 3</td> </tr> <tr> <td>1203</td> <td>350</td> <td>2203</td> <td>180</td> <td>Multiple Dependent claim, if not paid</td> </tr> <tr> <td>1204</td> <td>790</td> <td>2204</td> <td>395</td> <td>**Reissue independent claims over original patent</td> </tr> <tr> <td>1205</td> <td>800</td> <td>2205</td> <td>150</td> <td>**Reissue claims in excess of 20 and over original patent</td> </tr> </tbody> </table>		Large Entity		Small Entity		Fee Description	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1202	50	2202	25	Claims in excess of 20	1201	200	2201	100	Independent claims in excess of 3	1203	350	2203	180	Multiple Dependent claim, if not paid	1204	790	2204	395	**Reissue independent claims over original patent	1205	800	2205	150	**Reissue claims in excess of 20 and over original patent																																																																																										
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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Brent E. Vecchia	Registration No. (Attorney/Agent)	48,011
Signature	<i>Brent E. Vecchia</i>	Telephone	(303) 740-1980
		Date	03/12/07

Based on PTO/SB-17 (02-07) as modified by Blakely, Sokoloff, Taylor & Zafman (Wt) 02/26/2007.
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

**FEE TRANSMITTAL
for FY 2006**

Patent fees are subject to annual revision.

Complete if Known

Application Number	10/749,986
Filing Date	December 31, 2003
First Named Inventor	Donald S. Gardner
Examiner Name	Dupuis, Derek L.
Art Unit	2883
Attorney Docket No.	42P18458

☐ Applicant claims small entity status. See 37 CFR 1.27.TOTAL AMOUNT OF PAYMENT (\$)
0.00**METHOD OF PAYMENT (check all that apply)**

- ☐ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify): _____
- ☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP
- For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
- ☒ Charge fee(s) indicated below ☒ Credit any overpayments
- ☐ Charge fee(s) indicated below, except for the filing fee ☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.
- ☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.

FEE CALCULATION**1. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
28	29*	0	\$0.00
3	3*	0	\$0.00
Multiple Dependent			

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 50	2202 25	Claims in excess of 20
1201 200	2201 100	Independent claims in excess of 3
1203 360	2203 180	Multiple Dependent claim, if not paid
1204 790	2204 395	**Reissue independent claims over original patent
1205 300	2205 150	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (1)		(\$) 0.00

*or number previously paid, if greater, For Reissues, see below

2. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
2053 130	2053 130	Non-English specification	
1231 120	2231 60	Extension for reply within first month	
1252 450	2252 225	Extension for reply within second month	
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1255 2,160	2255 1,080	Extension for reply within fifth month	
1401 500	2401 250	Notice of Appeal	
1402 500	2402 250	Filing a brief in support of an appeal	
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1806 180	1806 180	Submission of Information Disclosure Stmt	
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1810 790	2810 395	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify)	Terminal Disclaimer		
SUBTOTAL (2)			(\$)

SUBMITTED BY

Name (Print/Type)	Brent E. Vecchia	Registration No. (Attorney/Agent)	48,011	Telephone	(303) 740-1980
Signature	<i>Brent E. Vecchia</i>	Date	03/12/07		

Based on PTO/SB/17 (02-07) as modified by Blakely, Sokoloff, Taylor & Zafman (w/1) 02/28/2007.
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application. No. : 10/749,986

1st Named Inventor : Donald S. Gardener

Filed : 12/31/2003

Docket No. : 42P18458

Confirmation No. : 9962

Art Unit : 2883

Examiner : Derek L. Dupuis

Customer No. : 7590

RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed December 12, 2006, the Applicants respectfully request that the Examiner enter the following amendments and consider the following remarks.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.84)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☐ deposited with the United States Postal Service
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Alexandria, VA 22313-1450.

FACSIMILE

☒ transmitted by facsimile to the Patent and
Trademark Office.

Brent E. Vecchia 3/12/07
Wendi Lou BRENT E. VECCHIA Date